

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

HEARTS ON FIRE COMPANY, LLC,

Plaintiff,

v.

EIGHTSTAR DIAMOND COMPANY,

Defendant.

CIVIL ACTION NO. 04 12258-JLT

LOCAL RULE 16.1 CERTIFICATION

Defendant, EightStar Diamond Company, and its counsel hereby certify that they have conferred: (a) with a view to establishing a budget for the costs of conducting the full -- course and various alternative courses -- of the litigation; and (b) to consider the resolution of the litigation through the use of alternative dispute resolution programs such as those outlined in Local Rule 16.4.

Respectfully submitted,

Counsel for EightStar Diamond Company

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Dated: March 8, 2006

EightStar Diamond Company

By: 

Name: DANA VON STERNBERG

Title: VICE PRESIDENT